

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MATTHEW D. GOODRICH,

Plaintiff,

CIVIL ACTION NO. 08-13664

vs.

DISTRICT JUDGE ROBERT H. CLELAND  
MAGISTRATE JUDGE DONALD A. SCHEER

HOWARD V. TYREE,

Defendant.

ORDER DENYING PLAINTIFF'S MOTIONS FOR APPOINTMENT OF COUNSEL AND  
EXTENSION OF TIME TO RESPOND TO SUMMARY JUDGMENT

This cause comes before the Court on Plaintiff's third Motion for Appointment of Counsel, dated March 19, 2009, (Docket #33), and Plaintiff's Motion For Enlargement of Time to File a Response to Defendant's Motion for Summary Judgment (Docket #45).

As stated in two previous orders denying requests for appointment of counsel (Docket #9 & #27), the Court has no funds to pay attorney fees for an indigent litigant in civil matters. Any appointment of counsel at this point is premature until the viability of Plaintiff's case is determined. If this case survives summary judgment, Plaintiff may seek appointment of counsel.

On June 8, 2009, Plaintiff was given until June 30, 2009, to file a response to Defendant's Motion for Summary Judgment (Docket #44). Plaintiff acknowledged in his Motion for Enlargement of Time, dated June 9, 2009 (Docket #45), that he received the Defendant's dispositive motion on May 28, 2009. Thirty days time to prepare a response is not unreasonable. Plaintiff's Motion for Enlargement of Time is hereby DENIED.

*Note this especially, at the direction of Judge Cleland:* any objections must be labeled as "Objection #1," "Objection #2," etc.; any objection must recite *precisely* the provision of this Order to which it pertains. Not later than ten days after service an objection, the opposing party must file a concise response proportionate to the objections in length and complexity. The response must specifically address each issue raised in the objections, in the same order and labeled as "Response to Objection #1," "Response to Objection #2," etc.

SO ORDERED.

s/Donald A. Scheer  
DONALD A. SCHEER  
UNITED STATES MAGISTRATE JUDGE

DATED: June 15, 2009

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### CERTIFICATE OF SERVICE

I hereby certify on June 15, 2009 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on June 15, 2009: **Matthew Goodrich.**

s/Michael E. Lang  
Deputy Clerk to  
Magistrate Judge Donald A. Scheer  
(313) 234-5217